

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 07/22/2014

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JOHN DOE,

Plaintiff,

-v-

COLUMBIA UNIVERSITY et al.,

Defendants.
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14-CV-3573 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On July 21, 2014, Plaintiff filed a letter asking the Court to vacate its Order dated July 15, 2014, which set a briefing schedule for Defendants' motion to dismiss, thereby reinstating the briefing schedule set by the Court's endorsement of June 19, 2014. (Docket No. 26). In issuing the July 15, 2014 Order pursuant to its standard practices, the Court inadvertently overlooked the fact that it had previously set a briefing schedule in this matter. Accordingly, the July 15th Order is modified to extend the deadline for Plaintiff to file any amended complaint or opposition to the motion to August 18, 2014, the date originally set on June 19, 2014. If no amended complaint is filed, Defendants' reply, if any, shall be filed by September 8, 2014, the date originally set on June 19, 2014.

Plaintiff's application for the July 15th Order to be vacated altogether (or otherwise modified) is denied. Per that Order, Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss. In light of Defendants' motion, there is no need for Plaintiff "to engage in guesswork as to what may or may not need amendment at this juncture." (Docket No. 26, at 3). If Plaintiff believes that his complaint can be amended to address the deficiencies alleged by Defendants, then he should amend; if he does not, he should oppose the motion to dismiss, mindful that he will not be given another opportunity to do what he could freely have done before the Court's ruling on the motion.

Finally, Plaintiff is advised that applications for relief must be made by motion or (if permitted by the Local Rules and the Court's Individual Rules and Practices) letter motion, not by ordinary letter.

SO ORDERED.

Dated: July 22, 2014
New York, New York

 JESSE M. FURMAN
 United States District Judge